

The Honorable John C. Coughenour

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

MYRIAM ZAYAS,

Plaintiff,

v.

ANNETTE MESSITT, JEFFREY
WHITNEY, AMBER WHITNEY, et al.,

Defendants.

NO. 2:20-cv-00747 JCC

DECLARATION OF DAVID LA
RAUS

David La Raus hereby declares as follows:

1. I am over the age of 18 and am competent to testify about the matters stated herein.

I make this declaration based on my personal knowledge and the records in this case.

2. I am an Assistant Attorney General with the Washington State Attorney General's Office. I represent the Department of Children, Youth & Families (DCYF) in the dependency proceedings, including the evidentiary trial in October of 2020, for Plaintiff Myriam Zayas' minor child (whose initials are ACZ). The name of that case is *In Re Dependency of ACZ*, King County Superior Court Juvenile Division, Cause No. 20-7-00666-0 KNT. The following statements are made in reference to this case.

1 3. I was not in attendance at the 72-Hour Shelter Care Hearing on March 17, 2020
2 before Commissioner Pro Tem Ann Danieli. The case was first assigned to me to provide
3 ongoing representation for DCYF on March 24, 2020. In preparation for trial in that matter, I
4 directed my support staff members—Rachel Lighthill and Janelle Serrao—to obtain a copy of
5 the audio file recording of the March 17, 2020, 72-Hour Shelter Care Hearing from the Superior
6 Court, for use as an exhibit at the October 2020 dependency trial in the same case number listed
7 above in paragraph 1. The reason for obtaining the recording was that Ms. Zayas had repeatedly
8 asserted that the hearing did not occur. Once my staff had obtained the recording of the hearing
9 I did not attempt to alter the substance of the audio file in any way.

10 4. ***Exhibit 1*** to this declaration is a true and correct copy of the audio file of the 72-
11 Hour Shelter Care Hearing on March 17, 2020 that my staff received from the court.

12
13 I declare under penalty of perjury of law under the laws of the State of Washington that the
14 foregoing is true and correct.

15
16 EXECUTED in Seattle, Washington on this 7th day of July 2021.

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19 _____
20 DAVID LA RAUS
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EXHIBIT 1

The Honorable John C. Coughenour

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NOTICE OF PHYSICAL FILING

The attached thumb drive contains an audio file, which should be inserted here.